

Application No. 10/594,590
Amendment dated December 18, 2008
Reply to Office Action of September 22, 2008

Docket No.: 1560-0471PUS1

AMENDMENTS TO THE DRAWINGS

The attached sheet(s) of drawings includes changes to Figure 9.

Attachment: Replacement sheet
 Annotated sheet showing changes

REMARKS

Applicant thanks the Examiner for total consideration given the present application. Claims 1-4 were pending prior to the Office Action. Claims 2-4 have been canceled and claims 5-10 have been added through this Reply. Therefore, claims 1 and 5-10 are currently pending. Claims 1, 9, and 10 are independent. Claim 1 has been amended through this Reply. Upon careful review one would conclude that no new matter has been added to the application via this amendment. Applicants respectfully request reconsideration of the rejected claims in light of the amendment and remarks presented herein, and earnestly seek timely allowance of all pending claims.

Drawings

The drawings are objected to for minor informalities. More specifically, the Examiner alleges that in Fig. 9, S(k) has the same signal as SU(k)=SD(k-1). Fig. 9 has been amended to address this issue. Accordingly, Applicant respectfully requests that the objection to the drawings be withdrawn.

Abstract

The abstract is objected to for minor informalities. More specifically, the Examiner alleges that the abstract contains more than 150 words. The abstract has been amended to address this issue. Accordingly, Applicant respectfully requests that the objection to the abstract be withdrawn.

Specification

The specification is objected to for minor informalities. Paragraph [0032] has been amended to replace “resister” with “register” to address this issue. Accordingly, Applicant respectfully requests that the objection to the specification be withdrawn.

Rejection Under § 112, First Paragraph and Second Paragraph

A. Claims 1-4 stand rejected under 35 U.S.C. § 112, 1st paragraph, for allegedly not meeting the enablement requirement. The Examiner asserts that the specification is not enabling for claims to an important component selection apparatus that has a function of storing a

plurality of sets of importance of a given component and a component identifier that indicates which component the importance represents. (See page 4, item 7-1. of the Office Action.)

Although Applicant does not necessarily agree with the Examiner that the specification is not enabling for the claims, claim 1 has been amended and claims 2-4 has been cancelled through this Reply in order to expedite prosecution. More specifically, amended claim 1 now recites, *inter alia*,

“a data storage unit that stores a plurality of data having an importance and an identifier, respectively,;

a data processing unit that performs a processing for a data among the plurality of data, wherein the data processing unit updates the importance of the data in case of performing the processing for the data;

an important component selection unit that determines an order of the plurality of data in accordance with the importance and the identifier . . . wherein the important component selection unit redetermines the order when the transmitter transmits the importance and the identifier . . .”

Support for the claimed element, "a data storage unit that stores a plurality of data having an importance and an identifier, respectively", can be found at least on page 12 lines 7-14 and page 13 lines 7-11 of the specification. Support for the claimed element, "a data processing unit that performs a processing for a data among the plurality of data", can be found on page 12, lines 8-10 and page 12, line 24 to page 13, line 7 of the specification. Further, support for the claimed element, "wherein the data processing unit updates the importance of the data in case of performing the processing for the data" can be found at least on page 14, lines 3-6 of the specification. In addition, support for the claimed element, "an important component selection unit that determines an order of the plurality of data in accordance with the importance and the identifier", can be found at least on page 6, line 20 to page 7, line 9 of the specification. Further, support for the claimed element, “wherein the important component selection unit redetermines the order when the transmitter transmits the importance and the identifier” can be found at least on page 26, line 2 to page 27, line 4.

Accordingly, the Applicant respectfully submits that withdrawal of the rejection of claim 1 under 35 U.S.C. §112, first paragraph, is required.

B. The Examiner also alleges that claim 1 is indefinite. Although Applicant does not necessarily agree with the Examiner that claim 1 is indefinite, claim 1 has been amended and

claims 2-4 has been cancelled through this Reply in order to expedite prosecution. Accordingly, Applicant respectfully submits that withdrawal of the rejection of claim 1 under 35 U.S.C. §112, second paragraph, is required.

Claim Rejection - 35 U.S.C. § 101

Claims 1-4 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. More specifically, the Examiner alleges that the claimed apparatus could be a software programming per se, and hence non-statutory. Although Applicant does not necessarily agree with the Examiner that the claims are non-statutory, claim 1 has been amended and claims 2-4 has been cancelled through this Reply in order to expedite prosecution. Accordingly, it is respectfully requested to withdraw this rejection.

35 U.S.C. § 102 REJECTION – Inoue

Claim 1 stands rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Inoue et al. (U.S. Pub. No. 2005/0188373 A1)(“Inoue”). Applicant respectfully traverses this rejection. Initially, Applicant notes that the Examiner did not provide any prior art rejection on claims 2-4.

For a Section 102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. *See M.P.E.P. 2131; M.P.E.P. 706.02*. Thus, if the cited reference fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, Inoue fails to teach or suggest each and every claimed element.

Amended independent claim 1 is directed to data processing apparatus that includes a data storage unit that stores a plurality of data having an importance and an identifier, respectively;; a data processing unit that performs a processing for a data among the plurality of data, wherein the data processing unit updates the importance of the data in case of performing the processing for the data; an important component selection unit that determines an order of the plurality of data in accordance with the importance and the identifier; and a transmitter

that transmits, to the important component selection unit, an importance and an identifier for a data among the plurality of data; wherein the important component selection unit redetermines the order when the transmitter transmits the importance and the identifier; and when the order has a data whose identifier is the same as the identifier for the data transmitted by the transmitter, a data with a lower importance, among both data having the same identifier, is excluded for the order redetermination. (*Emphasis added.*)

One of the aspects of the present invention is to provide "a data processing apparatus for performing high-speed digital computer simulation efficiently and at low cost" (see page 1, lines 7-8 of the specification). A conventional calculation method unfortunately requires an almost equal amount of calculation time, between the case for demanding very precise calculation results and the case for undemanding such a precise calculation results (see page 2, lines 3-13 of the specification).

Thus, in order to solve the problems associated with the conventional data processing apparatus, the data processing apparatus according to the present invention comprises a feature of "a data processing unit" that updates the importance of the data in case of performing the processing for the data, "an important component selection unit" that determines an order of the plurality of data in accordance with the importance and the identifier of the data. The important component unit of the claimed invention also redetermines the order of the plurality of data that the data processing apparatus performs data processing, after updating the importance of the data.

Thus, it is possible for the data processing apparatus according to the present invention to improve the demerit of the conventional calculation method described above.

In this Office Action, the Examiner relies on Inoue in rejecting claim 1. Inoue relates to an apparatus for task management in a multi-processor system. Inoue discloses that the apparatus determines which of the processor task should be performed in accordance with a priority level associated to the processor task (e.g. Abstract, [0085] - [0087]).

Inoue is distinguished from the claimed invention in that no where does Inoue teach or suggest that the apparatus determines which of the processor task should be performed. Further,

Inoue fails to teach or suggest, in accordance with an identifier of the processor task, to update the priority level when performing the processor task, and to redetermine which of the processor task should be performed, after updating the priority level.

Therefore, for at least these reasons, independent claim 1 is distinguishable from Inoue.

Accordingly, Applicant respectfully requests that the rejection of claim 1, based on Inoue, be withdrawn.

New Claims

New independent claim 9 is directed to data processing method corresponding to the apparatus of claim 1 and new independent claim 10 is directed to a computer readable medium having stored thereon computer executable program which when executed causes a computer system to execute steps as recited in method claim 9. Therefore, for at least the reasons stated with respect to claim 1, new independent claims 9 and 10 are also distinguishable from Inoue. New claims 5-8 are distinguishable from Inoue at least by virtue of their dependence on independent claim 1.

CONCLUSION

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ali M. Imam Reg. No. 58,755 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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Attachments